

## LIVINGSTON PLANNING BOARD

July 06 2016

The regular monthly meeting of the Livingston Planning Board was held July 06 2016 and opened at 7:00 p.m. In attendance were Chairman Philip Schmidt, James McFarland, Bernie Stickles, John Ross, Chip Keil, and Stephen Thibeault.

Engineer Brandy Nelson  
Attorney Theodore Hilscher

Absent:  
Robert Bellinger  
Sal Cusumano  
Engineer Jay Trapp

A motion to accept the minutes of the June 01, 2016 meeting was made by Chip Keil and 2<sup>nd</sup> by John Ross.  
All present voted AYE.

Correspondence: A letter dated July 06 2016 from NYSDEC.

RE: Lead Agency Coordination Response Red Wing Properties. DEC has no objection to the Livingston Planning Board serving as Lead Agency in the coordinated review.

On June 30 2016 CEO Trapp and Engineer Brandy Nelson did a follow up visit from April 13 2016 to the Amrod site. A slide presentation showed some improvement.

1. Improved surface with gravel.
2. Cleaned up some junk piles.
3. Surplus scrap was organized.
4. Septic holding tank - required records still not submitted.
5. Generally making improvements.
6. 22 buses still on site.

Mr. Amrod is on vacation and did not appear at this time. To be scheduled for the August meeting.

Red Wing a Site Plan and Special Use Permit to mine at Route 19 in Zoning District LDR2. Property consists of 196 acres. Only 14 acres will be mined.

Red Wing President Frank Doherty Jr. gave an overview of the project.

1. Original permit from the 1990's has been continued.
2. Only 14.03 acres are in the allowed to be mined LDR2 district.
3. All truck material to be processed at the Roe-Jan plant.
4. 3 -4 trucks making 10 + trips a day.

5. Three to five years of operation.
6. Berms will be in place so you will not see it from the road.

Notifications sent to neighbors were submitted. It was discovered that 2 missing abutters were not notified. Advised to have the Assessor Leggett provide the names and resend the notices. To be published in the Register Star again.

The Board does not want the haul route to impact town roads.

The public hearing opened at 7:10.

The following public comments:

1. Ted Babolcsay 38 Shore Drive.
  - a. More cost effective to use town roads (Hapeman to Williams) less impact to neighbors.
  - b. Been driving for 30 years and is concerned that there are too many curves on Route 19 and trucks will not be able to stop short.
2. Joe Sweeney 11 Shore Drive President of the Twin Lakes Improvement Association. Submitted a petition with 91 signatures from residents opposed to the mine. Requested copies of the minutes to be able to forward them to various elected officials.
  - a. Quality of life will be affected. Loud noise and pollution.
  - b. Contrary to the Livingston Master Plan.
  - c. In Rhinebeck, Red Wing mined a portion of the parcel then came back before the Board with a special permit application for the remaining acres.
  - d. Does this set a precedence for other new mine projects in the area?
  - e. Did DEC look at all 197 acres?
  - f. Why does the mine application cover the whole 197 acres?
3. Patricia Cassidy 12 Betty Road.
  - a. Concerned about noise and dust pollution starting at 6:30 am.
  - b. Where is water for dust control coming from? Concerned about the risk with wells and the aquifer.
  - c. The impact from toxic slurry has occurred in other mines in the area.
  - d. DEC review on this issue?
  - e. Wants no mine period.
4. Arlene Sweeney 69 Highland Avenue
  - a. Location opposite White Oak Road?
  - b. Concerned with the traffic pattern.
  - c. 72 homes and families are opposite the mine property.
  - d. Rest of the land is rented for agriculture use and the cows make too much noise.
5. Walter Smith 9 Shore Drive
  - a. When the allowed 14 acres are mined will they be back to get approved for more mining.

6. Krista Weaver 10 Henry Street.
  - a. Can the trucks do a different route and not go past our property?
  - b. Impacts the quality of live for all and the number of trucks will be unbearable.
  - c. Speaking for Kevin K 5 Henry Street. People walk on the road all summer and 24 + trucks each day will be a hazard.
  - d. Speaking for James and Joanne Storm neighbors oppose the application and want peace and quiet. Wants trucks to go a different route.
7. Martha Kelly 4 Betty Road.
  - a. Concerned for safety Route 19 not designed for heavy trucks.
  - b. Children and adults walk the road. School buses pick up and drop off children.
  - c. Concern for the safety of the 50 driveways in the immediate area.
  - d. Concerned about pollution and North Lake has a narrow road.
  - e. Please reconsider this is dangerous.
8. Jerry Couse 447 Pleasantvale Road.
  - a. Road was not built for 18 wheel triaxles carrying 50 to 60 tons per load.
  - b. White Oak Bridge will be torn up and have to be rebuilt.
  - c. Trucks cannot make the turn and stay on the road. Two trucks will have a problem passing.
  - d. Stone foundations cannot survive the vibrations. Wants no Jake brakes.
  - e. Agreed Mr. Doherty needs to make money but it will cost house owners more than he makes.
9. Justine Souquet Henry Street
  - a. Concerned about decreased property values and resale.
  - b. Road damage will mean more taxes.
  - c. Air pollution.
  - d. School bus safety. Not being able to stop.
  - e. Gravel flying off truck and damaging car windshields.
  - f. Camps in the summer and fall cross the roads. You have to cross the road to get to the Lake.
  - g. Requests a different route. Worried about law suits.
10. Kim Shea. 1370 Route 19.
  - a. Corner of Route19 and Hapeman Road has many trucks already on the road. Traffic is not so bad.
  - b. Camp does not allow children on the road.
  - c. Good use of the property and worried that people may lose their jobs.
11. Robert Morgenstern 8 Whitman Road
  - a. Moved in the area for peace and quiet.
  - b. Surprised that so many bike riders and pedestrians use the road.
  - c. Big truck traffic affect homes resales.

- d. Would not have bought the property if he knew there would be this truck traffic.
- 12. George Weidler 1021 County Route 19
  - a. Concerned that agriculture pesticides are going into the aquifer.
  - b. His property is adjacent to Bobby Speiro and use of Jake breaks are okay.
  - c. Bicyclists go by his house all day potential danger from the trucks not being able to stop in time.
  - d. Bicycles have the same right away. You have stopped school buses and a 54 ton truck cannot stop easily.
  - e. Doesn't want longer haul route.
- 13. Allison Paalz 80 Shore Drive.
  - a. Wants hours changed from 12 hours per day 6 days a week to 8 hours a day 5 days a week.
- 14. Susan 54 Shore Drive.
  - a. Disabled and need peace and quiet.
- 15. Gerta Dropp 26 Honor Road. Moved to area 3 years ago for peace and quiet.
  - a. Lakes are close to the road with public access.
  - b. Would not have bought the house if she knew the mine was active.
  - c. Wants an alternate route. Makes no sense.
- 16. Bill Gallagher Town of Milan Supervisor
  - a. First time hearing of the mine operating.
  - b. What is the impact to the Town of Milan?
  - c. Processing material at Roe Jan?
  - d. What are the truck routes?
- 17. Marcy Zitz 222 Commons Road.
  - a. Adjourns property and she grew up there the mine never bothered her.
  - b. No issues and no problem she understands that the truck traffic will increase.
- 18. Laurie Moxham 8 Whitman Road.
  - a. Is a new Environmental study being done a lot has changed since 1990.
  - b. Would like the hours changed to 10 A.M to 2 P.M.
  - c. A traffic study analysis should be done.

Mr. Doherty reports he is waiting for the Bridge to be back in operation to do the traffic study. Chairman Schmidt asked for a show of hands from the public for the following.

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|-----------------------------------|----|
| 1. Opposed to the mine operation. | 12 |
| 2. Opposed to the traffic route.  | 20 |
| 3. Summer residents               | 01 |

Chairman Schmidt has heard other misc. comments:

- 1. Operations should be suspended in summer.
- 2. Route should be changed to run North of Manorton.
- 3. North Shore Drive has a bump in the road that is dangerous for trucks.

Attorney Hilscher explained that this application is for a Special Permit which means the Zoning Law has identified mining as an appropriate use for the site subject to regulation.

The public hearing will be published again for August 03 2016 in the Register Star. The Public hearing is continued for the August 03 meeting. There being no further business before the Board a motion to adjourn was made by Bernie Stickles 2nd by James McFarland. All present voted AYE. Motion passed.

Next scheduled regular meeting will be held August 03 2016. Meeting closed at 8:12 p.m.

Respectfully submitted,

Eileen Yandik  
Secretary Livingston Planning Board